

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

JUNE 7, 2005

COUNTY COMMISSIONERS

**Jennifer Hill, Chairman
Catherine C. Hanson, Vice Chairman
Robert A. Pool, District #2
Debbie Stivender, District #3
Welton G. Cadwell, District #5**

**Cindy Hall, Interim County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

June 7, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

April 12, 2005	Special Meeting – Board Retreat
April 19, 2005	Regular Meeting
April 26, 2005	Regular Meeting
May 3, 2005	Regular Meeting
May 10, 2005	Regular Meeting
May 17, 2005	Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 11):

1. Contractor Bonds – New and Rider - Approval.
2. Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
3. Monthly Distribution of Revenue Traffic/Criminal Cases for the Month Ending April 30, 2005. Disbursements due to Board: \$146,171.63. Same period, last year - \$191,420.59 – Acknowledge receipt.

4. Received Progress Energy Florida, Inc.'s petition for a base rate increase which was filed with the Florida Public Service Commission on April 29, 2005, Docket Number 050078 – Acknowledge receipt.
5. Before the Public Service Commission, In re: Application for amendment of Certificate Number 496-W and 465-S to extend water and wastewater service areas in Lake County by Lake Utility Services, Inc., Docket Number 020907-WS, Order Number PSC-05-0523-FOF-WS, Issued May 13, 2005 – Order Amending Certificate Numbers 496-W and 465-S to Include Additional Territory in Lake County, as described in Attachment A – Acknowledge receipt.
6. Received the following Ordinances from the Town of Lady Lake:

Ordinance 2005-04 – Amending provisions regarding the Technical Review Committee

Ordinance 2005-09 – Amending Ordinance Number 81-8-(83), which established the Town of Lady Lake Comprehensive Plan; providing for a small scale future land use map amendment

Ordinance 2005-10 – Re-designating zoning classification for certain property owned by Ronnie and Sandra Smallwood

Ordinance 2005-26 – Amending the code of ordinances and providing for codification

Ordinance 2005-28 – Establishing a Lady Lake Tree and Beautification Advisory Committee

Acknowledge receipt.
7. Received the Country Club of Mount Dora Community Development District Proposed Operating Budget for Fiscal Year 2006, in accordance with Chapter 190.008(2)(b) of the Florida Statutes. The District's public hearing is scheduled as follows: August 11, 2005, at 8:30 a.m., Country Club of Mount Dora, 1900 Country Club Boulevard, Mount Dora, Florida - Acknowledge receipt.

8. Before the Florida Public Service Commission, Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs and All Other Interested Persons – Docket Number 041393-EI – Petition for Approval of Two Unit Power Sales Agreement with Southern Company Services, Inc. for Purposes of Cost Recovery Through Capacity and Fuel Cost Recovery Clauses, by Progress Energy Florida – Hearing date June 2, 2005, 9:30 a.m. (location as noted); Prehearing conference May 26, 2005, 9:30 a.m. (location as noted) – Acknowledge receipt.
9. Meeting Notice from the Southwest Florida Water Management District – Agenda for Governing Board Meeting scheduled for May 24-25, 2005, at 9:00 a.m., at the Brooksville headquarters, 2379 Broad Street, Brooksville, Florida 34604-6899; and a set of approved Minutes from the Governing Board Meeting that was held on March 29, 2005, in Brooksville, Florida – Acknowledge receipt.
10. Annexation Ordinances from the City of Tavares, as follows:

Ordinance Number 2005-07 – Amending the boundaries of the City of Tavares, by annexing approximately 65 acres located south of Dead River Road and north of Woodlea Road. Passed and Ordained the 4th day of May 2005 by the City Council of the City of Tavares, Florida.

Ordinance Number 2005-9 – Amending the boundaries of the City of Tavares, by annexing approximately 46.3 acres located on the northwestern side of State Road 19, approximately one mile southwest of the intersection of Lane Park Cutoff Road and State road 19. Passed and Ordained the 4th day of May 2005 by the City Council of the City of Tavares, Florida.

Ordinance Number 2005-11 – Amending the boundaries of the City of Tavares, by annexing approximately 12 acres located approximately 250 feet north of the northeast corner of the intersection of County Road 561 and County Road 448. Passed and Ordained the 4th day of May 2005 by the City Council of the City of Tavares, Florida – Acknowledge receipt.

11. Approval of extension of audit contract with Ernst & Young for the fiscal year ended September 30, 2005 and 2006.

Fiscal/Budgetary Impact:

September 30, 2005 - \$210,500.00

September 30, 2006 - \$220,500.00

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 23)

A. Budget

Tab 3

1. Budget transfer – Transportation Disadvantaged Fund, Department of Community Services, Transportation Disadvantaged Division. Transfer \$43,200.00 from Special Reserve to Machinery & Equipment. The Florida Commission for the Transportation Disadvantaged granted funding for one 25' bus. However, the County must first pay 100% for this bus and then be reimbursed the 90%. The budget has enough funding for 10% of the purchase price of \$49,959.00. The additional 90% is needed temporarily until the Florida Commission for the Transportation Disadvantaged reimburses the County. Funds available in Special Reserve.

RECOMMENDATION: Approval

2. Budget transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division. Transfer \$50,000.00 from Improvements Other Than Buildings to Machinery & Equipment. Funds needed for a replacement dishwasher for the Lake County Detention Center. The replacement cannot wait until next fiscal year, as the Sheriff's Office has stated that the existing dishwasher is being cited during inspections. The present dishwasher was installed when the facility was constructed. Funds available in Improvements Other Than Buildings as the department will not install water coolers in all the pods.

RECOMMENDATION: Approval

3. Budget transfer – General Fund, Constitutional Officers/Sheriff. Transfer \$200,000.00 from Corrections – Personal Services to Corrections – Operating Expenses. A letter from Sheriff Chris Daniels states that the original budget for the Lake County Jail food budget, \$755,000.00, was inadequate. He has computed that a minimum of \$999,735.00 is needed. Funds of \$200,000.00 are available in Corrections – Personal Services due to vacant positions, resignations and retirements. The remaining shortfall can be made up within the operating expense accounts.

RECOMMENDATION: Approval

4. Budget transfer – General Fund, Department of Community Services, Citizens Commission for Children Division. Transfer \$29,160.00 from Medicaid Nursing Home to Information Services (\$300.00), Utility Services (\$1,210.00), Rentals & Leases (\$5,600.00), Office Supplies (\$10,550.00), and Machinery & Equipment (\$11,500.00). The Board approved the lease of additional space to relocate the Citizens Commission for Children staff. Funds needed for the relocation costs. Funds available in Medicaid Nursing Home.

RECOMMENDATION: Approval

5. Budget transfer – Landfill Enterprise Fund, Solid Waste Disposal Operations Division. Transfer \$850,000.00 from Special Reserve to Contractual Services. Funds are needed to pay for the Covanta settlement payment, which is due July 1, 2005. Funds available in Special Reserve. After the Covanta settlement, funds were left in reserves to cover this payment.

RECOMMENDATION: Approval

B. Community Services

Tab 4

Approval and execution of the authorizing Resolution by the Lake County Board of County Commissioners to ratify issuance of the request to increase the amount of bonds from \$10,100,000.00 to \$10,500,000.00 for the Lake Harris Cove Apartments.

RECOMMENDATION: Approval

Tab 5 Approval and execution of the authorizing Resolution by the Lake County Board of County Commissioners to ratify issuance of multifamily housing revenue bonds in an amount not to exceed \$7,000,000.00 for the purpose of financing the proposed development of "The Club at Eustis Village Apartments" to be located in Lake County.

RECOMMENDATION: Approval

Tab 6 Approval for staff to reimburse Medicaid medical foster care parents for expenses incurred in transporting their foster medical children to their approved medical appointments.

RECOMMENDATION: Approval

Tab 7 Approval of Lease Agreement with the City of Leesburg for lease of fiber optic service for Community Services Annex Number 2 located at 906 Sinclair Avenue, Tavares, Florida.

RECOMMENDATION: Approval

Tab 8 Approval to sign the *National Book Scholarship Fund Grant* Letter of Agreement.

RECOMMENDATION: Approval

C. Information Technology

Tab 9 Approval and signature on the Sprint PCS Advantage Agreement for Government in the fiscal impact amount of \$7,860.00.

RECOMMENDATION: Approval

Tab 10 Approval and signature on the Sprint Individual Case Basis Agreement for Metropolitan Area Network (MAN) Service and the Sprint Service and Equipment Agreement upgrading the BCC Internet connection in the fiscal impact amount of \$158,558.00.

RECOMMENDATION: Approval

D. Procurement Services

Tab 11 Approval to award the contract to for Consulting Services for the Lake County Comprehensive Plan to Renaissance Planning Group, and Herbert Halback, Inc. (HHI) in accordance with RSQ Number 05-005, in the fiscal impact amount of \$56,560.00.

RECOMMENDATION: Approval

E. Public Safety

Tab 12 Approval to apply for and accept matching grant funds from the Division of Forestry for volunteer fire assistance to purchase 60 sets of Wildland Fire Gear to be used in the Paisley/Lake Mack area in the fiscal impact amount of \$6,690.00.

RECOMMENDATION: Approval

F. Public Works

Tab 13 Approval to pay \$5,000.00 to the West Orange South Lake Transportation Task Force for 2005 Membership Dues.

RECOMMENDATION: Approval

Tab 14 Approval to advertise for bids for the Number 0936C Marseilles Boulevard (Montclair Subdivision) Drainage Improvement Project Number 2005-13 at an estimated cost of \$100,000.00 from Stormwater Management Fund – Road Repair and Maintenance. Commission District 2.

RECOMMENDATION: Approval

Tab 15 Approval and authorization to accept the final plat for Sunny Hill Farms and all areas dedicated to the public as shown on the Sunny Hills Farms plat. Sunny Hill Farms consists of five lots – Commission District 3.

RECOMMENDATION: Approval

Tab 16 Approval and authorization to release a Letter of Credit for Maintenance in the amount of \$31,600.00 posted for Lake Louisa Highlands Phase II. Lake Louisa Highlands Phase II consists of 39 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 17 Approval and signature on the Agreement between Lake County and Montclair Homeowners Association relating to a drainage problem.

RECOMMENDATION: Approval

Tab 18 Approval and authorization to accept the final plat for Johns Lake Plaza and all areas dedicated to the public as shown on the Johns Lake Plaza plat. Johns Lake Plaza consists of nine commercial lots – Commission District 2.

RECOMMENDATION: Approval

Tab 19 Approval and authorization to accept the final plat for Sago Palm @ Hawthorne and all areas dedicated to the public as shown on the Sago Palm @ Hawthorne plat. Sago Palm @ Hawthorne consists of 21 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 20 Approval and authorization to accept the final plat for Meadows of Mount Dora and all areas dedicated to the public as shown on the Meadows of Mount Dora plat. Meadows of Mount Dora consists of 10 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 21 Approval to award Upper Palatlakaha Stormwater and Retro-Fit Project Number 2005-09, Bid Number 05-092, to Dimensional Contracting in the amount of \$247,783.00, and encumber and expend funds in the amount of \$247,783.00 from the Stormwater Management Fund – Commission District 2.

RECOMMENDATION: Approval

Tab 22 Approval and execution of Purchase Agreement with Thomas H. Owens and Beverly J. Owens, for right of way; and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the South Dewey Robbins Road Paving Project located in the Howey-in-the-Hills area – Commission District 3.

RECOMMENDATION: Approval

Tab 23 Approval, adoption and execution of the Resolution facilitating the Supplemental Local Agency Program (LAP) Agreement for the CR-48 Sidewalk Project; execution of the Supplemental Local Agency Program Agreement with the Florida Department of Transportation for the CR-48 Sidewalk Project (FDOT FPN 412142-1-A8-01); authorization to award the Number 2713 Bridges Road Widening & Resurfacing and CR-48 LAP Project Number 2005-01 to Art Walker Construction in the amount of \$927,313.60; and approval to encumber and expend \$673,619.35 from the Road Impact Fee Fund (split 50/50 between Benefit Districts 4 and 6), \$176,400.00 from the Transportation Trust Fund, and \$77,294.25 from the Infrastructure Sales Tax Fund – Commission District 3.

RECOMMENDATION: Approval

V. PERSONAL APPEARANCES/PRESENTATION/PUBLIC HEARING

A. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employee with Five Years of Service

Stephen J. Lathrop, Assistant Area Maintenance Supervisor, Public Works/Road Operations/Maintenance Area II

Presentation of Award to Employee with Thirty Years of Service

Clarence Morgan, Equipment Operator III, Public Works/Road Operations/Maintenance Area I

2. **BOARD/COMMITTEE PRESENTATIONS**

PLAQUES

Comprehensive Health Care Committee

Catherine Hoechst for service from 1997-2005

Susan McLean for service from 1998-2005

Historical Museum Advisory Committee

Margaret Elmore for service from 2000-2005

Howard King for service from 2000-2005

Industrial Development Authority

Thomas Bacsik for service from 1998-2005

CERTIFICATES

Comprehensive Health Care Committee

J. Rodger Amon for service from 2001-2005

Herman M. Flink, M.D. for service from 2002-2005

Cultural Affairs Council

Linda Gail James for service from 2003-2005

Elder Affairs Coordinating Council

Dee Miller for service from 2002-2005

Impact Fee Committee

James Drake for service from 2001-2005

Library Advisory Board

Ed Quirke for service from 2004-2005

Local Planning Agency

Dan Matthys for service from 2004-2005

Tourist Development Council

Bob Lovell for service from 2002-2005

B. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: Presentation of Proclamation proclaiming June 7, 2005 as Publix Charities and Publix Employees Appreciation Day in Lake County to Ron Losch, Publix Regional Director and Tom Moore, Public District Manager

PRESENTATION: Presentation by Ron Losch, Publix Regional Director and Tom Moore, Publix District Manager, of a \$356,000 Check to the Community to Brad White, United Way Chairman of the Board and Greg Nelson, United Way Campaign Chair

Tab 24 **PRESENTATION:** Approval, Signature and Presentation of Proclamation to Jim Stivender, Public Works Director, declaring May 15 through 21, 2005 as National Public Works Week in Lake County

Tab 25 **PRESENTATION:** Approval, Signature and Presentation of Proclamation to Jim Stivender, Public Works Director, declaring May 15 through 21, 2005 as National Transportation Week in Lake County

Tab 26 **PRESENTATION:** Approval, Signature and Presentation of Proclamation to Bill Nicodem, Public Works Fleet Section, and Jim Dickerson, Public Safety Fleet Section, declaring June 11 through 17, 2005 as National Automotive Service Professionals Week in Lake County

C. PUBLIC HEARING - 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARING

Tab 27 **PUBLIC HEARING:** Substantial Amendment to Federal Fiscal Year 2004-2008 Consolidated Plan relating to Community Development Block Grants

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tabs 28 through 29)

A. Growth Management

Tab 28 Approval to adopt and sign the Resolution setting long-term sustainability as a County goal.

RECOMMENDATION: Approval

B. Public Works

Tab 29 Approval to accept a Maintenance Map for Dwights Road (Number 0539) – Commission District 2.

RECOMMENDATION: Approval

VII. OTHER BUSINESS (Tabs 30 through 33)

Tab 30 Appointment of individual to vacant District 3 position on the Elder Council.

Tab 31 Reappointment of Cynthia Nash to the Comprehensive Health Care Committee. Ms. Nash will be serving as Lake-Sumter Medical Society's member representative for a term ending April 30, 2006.

Tab 32 Appointment of individual to vacant industrial community representative on the Impact Fee Committee to serve a term ending August 6, 2006.

Tab 33 Appointment of Leslie Longacre as South Lake Hospital's *member representative*, Kathy Schlachter as South Lake Hospital's *alternate member representative*, and David Batman as the South Lake County Hospital Tax District representative on the Comprehensive Health Care Committee.

VIII. REPORTS

A. County Attorney (Tab 34)

Tab 34 Approval to advertise Ordinance amending Lake County Code Section 2-24, Investment of Surplus Funds.

B. County Manager

Discussion of selection process for firms to provide programming and design services for facilities at the South Tavares and downtown Tavares campuses.

C. Commissioner Hill – Chairman and District #1 (Tab 35)

Tab 35 Approval for Chairman to sign form authorizing Commissioner Cadwell to cast Lake County's votes at the NACo annual conference.

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

JUNE 14, 2005

9:00 A.M. Regular Meeting/Tentative

9:00 A.M. PRESENTATION: Library Facilities Plan by Darro Willey of Beach/Willey Library
or as Soon Consultants
Thereafter

9:00 A.M. PUBLIC HEARING: Transmittal Hearing for Comprehensive Plan Amendments
or as Soon
Thereafter

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TENTATIVE AGENDA

JUNE 21, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Update of Florida Yards & Neighborhoods Program in Lake County by
or as Soon Teresa Watkins, University of Florida/IFAS
Thereafter

9:00 A.M. PRESENTATION: Guardian Ad Litem Program by Lalenya J. Robertson, Chair of Voices for
or as Soon Children of North Central Florida
Thereafter

9:00 A.M. PRESENTATION: Healthy Communities by Fletcher Smith, Director, Community Services
or as Soon
Thereafter

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TENTATIVE AGENDA

JUNE 28, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

JULY 12, 2005

9:00 A.M. Regular Meeting/Worksession

9:00 A.M. PRESENTATION: Streetscape Plan by Michael Pape & Associates representing the City of
or as Soon Tavares
Thereafter

9:00 A.M. WORKSESSION: Dirt Road Inventory
or as Soon
Thereafter

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TENTATIVE AGENDA

JULY 19, 2005

9:00 A.M. Regular Meeting